

\$12,000,000 REBATE BEGINS FEB. 23; ALL COMPANIES ORDERED TO PAY

Weather-Fair and warmer to-night; Saturday rain.

FINAL RESULTS EDITION

PRICE ONE CENT.

GAS REBATES MUST BEGIN ON FEB. 23

Mandate of the United States Supreme Court Received by Commissioner Shields.

ALL COMPANIES TO PAY. Order Issued To-Day Includes Every Concern in the Big Trust.

United States Commissioner Shields, as clerk of the United States Circuit Court and custodian of the gas fund, to-day received the mandate of the Supreme Court of the United States based on its decision that the 50-Cent Gas law is constitutional.

The payment of the \$12,000,000 in rebates is ordered to be started on Feb. 23, but it will take two months to finish the job. Costs of \$15,000 are assessed against the company. All the companies in the combine are included in the order and all will begin repayments on the same day.

Upon receipt of the mandate Judge Lacombe issued this memorandum as to the funds in the hands of Commissioner Shields:

"The Secretary and Treasurer of the Consolidated Gas Company, the Special Master who is in charge of the fund deposited by that company, and his accountants have, after several conferences, agreed upon the details of a plan for the repayment of rebates to the consumers. The plan has been submitted and is hereby approved. It will, of course, be subject to revision should any change be found desirable.

All to Receive Rebates.

"As was indicated in the opinion filed when the preliminary injunction was issued, the Court, through the Special Master, WILL SECURE THE REPAYMENT OF THE OVERPAID GAS TO THE CONSUMER WITHOUT SUBJECTING HIM TO ANY FURTHER EXPENSE WHATSOEVER. PROVIDED HE HAS FOLLOWED THE INSTRUCTIONS GIVEN—HAS KEPT HIS BILLS AND GIVEN NOTICE OF EVERY CHANGE OF ADDRESS. If all had followed these instructions, the work of repayment would be greatly simplified and the time required to pay every one would be correspondingly reduced.

1,500,000 Separate Statements.

"The Court has made a careful investigation of the precise work which has to be done preliminary to the actual signature of the repayment cheques. By reason of the circumstances that there have been many changes of address from one collection district to another, it seems to be a conservative estimate that there will be about 1,500,000 separate statements of accounts to be made up and the same number of cheques to be drawn.

"No part of the cost of this work will fall upon any consumer or be deducted from his rebate.

"A sufficient force to ensure promptness will be at once set to work under efficient arrangements for checking up and auditing to the satisfaction of the Special Master and his auditor, the Gas Company acting as distributing agent. It is apparent, however, that there is a physical limit to the number of clerks who can actually be at work at the same time on the same set of books. It is also manifest that it will take much more time to prepare a statement of account, containing frequently more than thirty items, than it will to draw a cheque for the balance which such statement discloses.

Time for First Payments.

"It is necessary, therefore, to get the work of preparing refund sheets well advanced before undertaking to prepare the cheques; so that when repayment has once begun it can proceed without a break and in large amounts.

"The first installment of refund cheques will go out on Feb. 23, and they will be sent out thereafter with such rapidity that within a little more than two months from the date all those who followed instructions—kept their bills and gave notice of address—will receive their money.

"How soon thereafter the holders of assignments may be paid will depend largely upon the carelessness with which they give notice of assignment.

(Continued on Second Page.)

The

"Circulation Books Open to All."



The World

"Circulation Books Open to All."

NEW YORK, FRIDAY, FEBRUARY 5, 1909.

PRICE ONE CENT.



MAN KILLED IN STRIKE RIOT, MANY INJURED, ON EAST SIDE

Tailor Shop on Second Street Stormed by Mob of More Than Hundred—Dead Victim Found After Police Clear Scene of Battle.

One man was killed and several were seriously injured in an attack made by strike sympathizers on the tailoring factory of Jacob Greenfield, at No. 2 Second street, late this afternoon. The name of the man who was killed could not be learned by the police. He was one of the attacking party.

Most of the employees of the shop struck two weeks ago. Eight stitchers and pressers remained at work. Wolf Greenfield, brother of the proprietor, was in charge of the shop this afternoon. At 2 o'clock a group of striking employees entered the shop and began arguing with the workmen. The disputes became angry and Wolf Greenfield temporized with them.

"If you will go out to the street," he said, "I will shut off the power, and then they will have to stop work whether they want to or not. I don't want to have a fight here."

The strikers went out. Wolf Greenfield did not keep his promise. He locked the doors and told the men to keep on with their tasks.

The strikers, accompanied by a hundred or more sympathizers, came down the street in a yelling mob at about 3 o'clock. They had heard, from outposts, of the locking of the doors, and did not wait to parley. They hustled up the steps and smashed in the door, and, armed with sticks or with weapons grabbed up in the place, assaulted every one they could lay their hands on.

The tumult was terrific and the street was soon blocked with excited people. The fight inside raged until Policeman J. J. Sweeney ran in and began to lay about him with his club. Then every body who was able, ran. Many went upstairs and over the roof.

The police found Wolf Greenfield under a bench, with a cut on the side of his head. He was barely conscious, and was resuscitated by Ambulance Surgeon McGrath. Jacob Greenfield had several cuts on his face.

The surgeon was about to go away when a man was discovered dead in another clothing shop, on the second floor, lying between two machines. There was nothing to show who he was, but Wolf Greenfield said that he was not one of the men employed in the shop.

Capt. Herlihy and a number of his men started an investigation, aided by detectives from the homicide bureau. They held Wolf Greenfield and Barco Cosella, of No. 121 Melrose avenue, Brooklyn, pending their inquiries.

The dead man was later identified by Samuel Kahn, of No. 242 Livingston street, a striking garment worker, as his brother Solomon, also a striker.

KILLED ON "L" ABOVE THROG OF SHOPPERS

Hundreds of Morbid Ones Battle With Police for Glimpse of Victim.

BLOCK BROADWAY CARS. Crowds Stop Traffic at Herald Square and Reserves Use Their Clubs.

The morbid influence that draws crowds to scenes of horror impelling shouting, shoving, fighting mob of several hundred men and women shoppers in the Herald Square district to battle with the reserves of the Tenderloin station for half an hour this afternoon while the head of a laborer who had been killed on the Sixth avenue elevated structure at Thirty-second street hung down between the ties. While the struggle to see the ghastly sight was on, and before the body had been removed, traffic was brought to an almost complete standstill, gowns were torn and feet trampled on.

The man who was killed was Miles Dolan, one of a gang at work repairing the structure. The gang had just returned to work after dinner when he was killed. He was stooping over the northbound track to pick up some tools when a train came along. He jumped back in time to dodge the forward track, but the contact shoe caught him and dragged him under. His battered body was dragged several feet and then fell to the track, the head hanging down through the ties.

The men and women fought on the street below for a glimpse of what had occurred above, the foreman of the gang, Michael Sullivan, and two laborers managed to get Dolan's body from its wedged position and carried it to the West Thirty-third street station of the elevated.

The platforms here were crowded with shoppers, and several of them narrowly escaped being pushed off in the struggle to view the body. The reserves were notified and speedily cleared the platforms, driving those who resisted before them with their nightsticks.

Dr. Monroe, of the New York Hospital, who was called, ordered his driver to go straight through the crowd, and only then did a lane open in the dense mass. Dr. Monroe said that almost every bone in Dolan's body was broken. The body was placed in a patrol wagon and taken to the Tenderloin station. The foreman was arrested.

Alexander Hoenigswald, motorman of the train, of No. 256 West One Hundred and Forty-seventh street, also was arrested and charged with homicide.

Chorus Girl and Rich Husband She Sues for Separation.



CHORUS LADY WON'T COOK, HER HUSBAND SAYS

"Birdie Martin," Otherwise Bertha Lindenborn, Demands Separation.

In her real name of Bertha M. Lindenborn, "Birdie Martin," one of the blonde girls in the first row of "The Queen of the Moulin Rouge" chorus, is suing David Lindenborn, a wealthy dealer in antiques and oil paintings, at No. 30 West Thirty-eighth street, for a separation, alleging failure to properly support her. Lawyer Herman Hayde asked Justice Platzer, in the Supreme Court, to-day, for an order to compel Lindenborn to pay her \$5 weekly alimony pending the trial and \$20 counsel fee. Robert L. Turk opposed in behalf of Mr. Lindenborn.

"Birdie Martin" says she was a popular stage lady when she met the wealthy New Yorker on a steamer bound for Europe in 1899. "Dave" Lindenborn made love swiftly during the voyage, she alleges, and when they reached London they were married. As Mrs. Lindenborn "Birdie Martin" gave up her ambition for a career and forsook the stage. They lived in style in this city, spending \$10,000 a year, she says, until about four years ago, when Mr. Lindenborn refused to contribute to the support of the household. She is now twenty-five years old and he is twice her age.

BROADWAY CARS STALLED TO LET HANDY "THINK"

Twenty of Them Strung Out Behind Bakery Wagon Team That Ambled.

Handy Ernest, a bakery wagon driver, of No. 1539 Third avenue, made a lot of persons who were due downtown at 9 o'clock late at their offices this morning. Handy was asleep.

The young man went to work at 10 o'clock last night. The bake was late this morning and, though he should have been through at 7 o'clock, he was only beginning to deliver bread at 8.30. He unloaded a crate of loaves at Eighth avenue and Fifth street, climbed up to his seat, took the reins, settled back against the piled-up bread and went to sleep, sitting up.

His horses ambled slowly down Eighth avenue, crossed Forty-eighth street to Broadway and then turned south on the Broadway car tracks. A large, life-size, well-filled Broadway car came down behind them and slackened speed. The motorman clanged his bell.

Handy Ernest slept. The team ambled down Broadway.

There were a score of cars crawling behind the wagon at Fortieth street. The sidewalkers stopped and watched and jeered at the fuming passengers. It was a near riot. A multitude of those who had nothing better to do got out into the street, escorting the bread wagon with much joyful and imprecatory noise. Among them trotted a number of car conductors, who were not joyful. Charles Brown, a traffic policeman, climbed the step of the bread wagon and shook the shoulder of Handy Ernest.

"Hi, there!" he shouted. "What do you think you are doing?"

"He jerked his shoulder away from the policeman and snored again.

Brown was even less gentle the second time.

"Wake up, you!" he commanded. "Are you asleep?"

"Now," replied Ernest, sitting up straight and blinking. "I was just thinking."

He pulled the team out to one side and the delayed cars with their belated passengers went clanking by. Brown took Handy Ernest to the West Side Court and arraigned him before Magistrate Kerbochan, who advised him to get more sleep before going to work hereafter, and let him go.

KIDNAPPER OF GIRL TO BE SPEEDILY TRIED IN BALTIMORE COURT

Janer, Who Stole Eleven-Year-Old Katherine Loerch, Indicted for Crime for Which Death May Be Penalty.

CHILD'S COUSIN ON TRAIL "TILL SCOUNDREL IS HANGED."

Prisoner Collapses in Cell While Wheels of Justice Are Quickly Set in Operation—His Wife Says She Is Indifferent to His Fate.

BALTIMORE, Feb. 5.—An indictment charging a capital crime was found to-day against Joseph Janer, the Brooklyn man who kidnapped eleven-year-old Katherine Loerch on Monday and brought her to this city.

State's Attorney Owens, who prepared the indictment last night after the little girl had told her shocking story to the Grand Jury, presented the bill this morning, and at 11 o'clock an indictment was handed up.

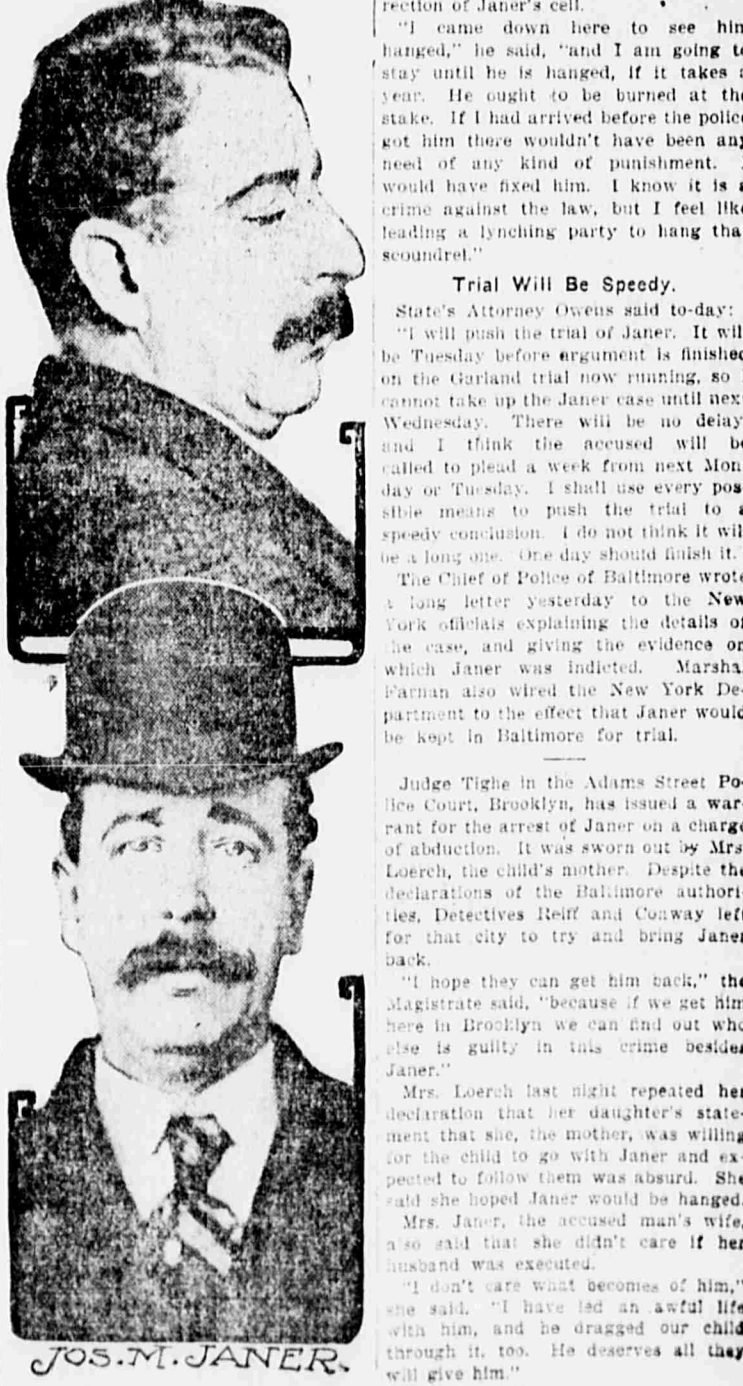
The charge in the indictment is for a degree of felonious assault, punishable by death. If the kidnapper is convicted it is within the discretion of the Court to order him hanged, sentence him to life imprisonment or impose a shorter prison term. If precedents are followed and the accused man is not declared insane, he may suffer the death penalty. Janer's trial will be pressed with all possible despatch.

The prisoner is in a state of collapse in his cell. Stimulants had to be administered this morning. He seems conscious, or, at least, he is not. His victim is in the House of the Good Shepherd, where she will remain until the trial.

Joseph C. Dockweiler, of No. 399 Troutman street, Brooklyn, a cousin of the Loerch girl, arrived here to-day and saw Marshal Farnam at Police Headquarters. Dockweiler was formerly a policeman in Brooklyn and brought a letter of introduction from Capt. Cullen, of Brooklyn. He is a big man and he was boiling over with rage when he came out of Marshal Farnam's office. He clinched his fist and shook it in the direction of Janer's cell.

"I came down here to see him hanged," he said, "and I am going to stay until he is hanged, if it takes a year. He ought to be burned at the stake. If I had arrived before the police got him there wouldn't have been any need of any kind of punishment. I would have fixed him. I know it is a crime against the law, but I feel like leading a lynching party to hang that scoundrel."

POLICE PICTURE OF MAN WHO STOLE BROOKLYN GIRL.



JOS. M. JANER.

ATE THE LICENSE, THEN HE GOT POLICE TO RAID SALOON

Tom Gilloway, Bartender for Atkinson, Put His Employer Into a Three-Cornered Official Snarl and Himself Into a Cell on Larceny Charge.

Tom Gilloway, bartender in Atkinson's saloon, at No. 55 Broadway, Long Island City, checked up and swallowed the liquor license of the place when in a state of alcoholic peevishness to-day. Now he is in a cell, charged with grand larceny, and there is a squabble going on between Atkinson, the Excelsior Bureau and the police regarding the right of the saloon to sell liquor.

The police say they will close the place unless Atkinson shows them the license. This the saloonkeeper says is obviously impossible, unless the Coroner will authorize an ante-mortem autopsy on Gilloway. Tom Gilloway says that he doesn't care what the Coroner says, he will withhold his consent, personally.

"I got even with Brennan, anyway," said Gilloway.

Thomas Brennan was in charge of the saloon last night in Atkinson's absence. Gilloway drank behind the bar and started to make the place a free-drink dispensary for his friends. Brennan discharged him.

YONKERS PAYS REMARKABLE TRIBUTE TO MRS. EVA COCHRAN

Factories Are Closed, Flags at Half Mast, and Thousands Throng the Streets During Funeral of Woman Who Gave Millions to Charity.

All Yonkers to-day paid tribute to the memory of Mrs. Eva S. Cochran, widow of the late William F. Cochran, and who died recently at her New York City residence, No. 5 East Forty-fifth street. Mrs. Cochran's funeral, held this afternoon, was attended by practically the entire population of Yonkers, all the factories being shut down and the flags put at half-mast.

Seldom if ever does a woman receive the sincere manifestations of grief that was accorded Mrs. Cochran, who has given away millions of dollars to charities in Yonkers. Her estate is estimated to be worth at least \$63,000,000.

The funeral train from the Grand Central station reached the foot of Main street, Yonkers, at 2.30 o'clock. It was met by the Mayor, members of the City Council and a cortege of ten mounted and twenty-five foot policemen headed by Chief Wolff. Both sides of Main street were packed with people all the way to Getty Square, where the cortege entered St. John's Episcopal Church. After impressive services in the church the cortege proceeded to

\$3,000,000 OIL PLANT ABLAZE AT NEW ORLEANS.

NEW ORLEANS, Feb. 5.—The recently completed \$3,000,000 plant of the American Sugar Refining Company, at Chalmette, on the Mississippi River, just below New Orleans, caught fire this afternoon and at a late hour was still burning. A heavy gale is blowing along the river.

GOT \$4,000 JEWELRY HAUL AFTER SMASHING WINDOW.

CHICAGO, Feb. 5.—A lone robber to-day hurled a brick through the window of the Jackson Jewelry Company, No. 65 State street, the city's busiest retail thoroughfare, and, reaching through the shattered pane, secured \$4,000 worth of watches, rings and diamonds. He escaped.

WON'T ENJOIN MAYOR.

The application of Walter J. Salomon, a Forty-second street merchant, for an injunction restraining the Mayor and Board of Estimate from carrying into effect the proposed depression of the centre of the roadway on Forty-second street, between Madison and Sixth avenues, so that it will pass under Fifth avenue, was today denied by Supreme Court Justice Platzer.

TAMPA RESULTS.

TAMPA, Fla., Feb. 5.—The results to-day were:

FIRST RACE—Three-year-olds, six and one-half furlongs—Jeanette M., 107 (E. Murphy), 1 to 5.2 to 5 and out, first; Merice, 94 (Brennan), 1 to 1.6 to 5.1 to 2 and out, second; Autumn, 100 (Mikahely), 2 to 1.5 to 5 and out, third. Time—1:25.4. Rose Aids, St. Adelaide and She Wolf also ran.

COOKED ON ALCOHOL RANGE.

"He wouldn't pay the gas bills and the gas was cut off by the gas company, so that I had to do my own household cooking by an alcohol stove," said "Birdie Martin."

"He failed to pay the rent of our elegant apartment for three months and we were dispossessed. He has neglected to provide a home for me since, compelling me to live alone. He has not contributed to my support since July, 1907, when he cut off my allowance of \$5 a week, although his income is \$10,000 a year. The rent of our apartment was \$150 a year. In consequence I have been forced to return to the stage."

"I am perfectly willing to strive to get along with as little as possible, but feel that I ought to receive no less than \$5 per week, for even that is insufficient to maintain me in the station of life that I was accustomed to while the defendant and I were living together in accord."

Robert L. Turk, in answer, submitted an affidavit by Lindenborn. He says in reference to her story that the gas was cut off and she had to cook by an alcohol stove, that she never did any

(Continued on Second Page.)